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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHERRY ET AL,

Plaintiff,

No. C 04-04981 WHA

v.

THE CITY COLLEGE OF SAN FRANCISCO
ET AL,

Defendant.

**ORDER APPOINTING
SPECIAL MASTER**

Pursuant to an order dated October 1, 2007, parties were to meet and confer on the issue of the amount of attorney's fees and costs to be paid to plaintiff under the settlement agreement. In light of the failure of the parties to regarding the fees requested by plaintiff's counsel, the Court will exercise its power under Rule 54(d) to appoint a special master to resolve the issue of the amount of attorney's fees and costs. In doing so, the special master shall have all the powers set forth in Rule 53(c) and Rule 54(d)(2)(D). As directed in the October 1 order, parties shall provide the special master with copies of all papers relevant to the dispute, including this order and the October 1 order.

Parties will be responsible for paying for the special master's fees, with the allocation of fees to be determined later, taking into account the reasonableness of parties' respective positions and the special master's recommendations. Accordingly, the Court appoints Judge James Larson as special master. Parties are to contact Judge Larson and arrange for the earliest possible disposition of this matter.

IT IS SO ORDERED.

Dated: December 11, 2007

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE